## SUPPORT FOR AMENDMENTS

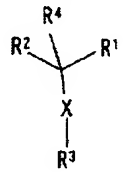
The claims have been amended for clarity. Support can be found in the claims as originally filed. Claim 23 has been newly added. Support can be found in Examples 32, 33, 95-97, 119, 120, 241, 242, 244, 245, and 250.

No new matter has been added.

## REMARKS/ARGUMENTS

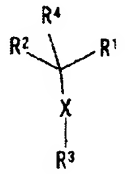
The Examiner is requiring restriction to one of the following groups:

Group I: Claims 1-18, drawn to the following compound formula (I) containing all R1 and R2 and R3 which are a pyridyl moiety and its pharmaceutical composition as disclosed below:



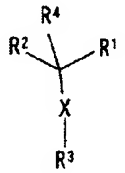

(1)

Group II: Claims 1-18, drawn to the following compound formula (I) containing all R1 and R2 and R3 which are a thienyl moiety and its pharmaceutical composition as disclosed below:



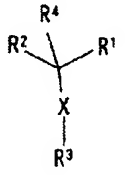

(1)

Group III: Claims 1-18, drawn to the following compound formula (I) containing all R1 and R2 and R3 which are a non-heteroaryl, nonheterocyclic or phenyl moiety and its pharmaceutical composition as disclosed below :




(1)

Group IV: Claims 1-18, drawn to the following compound formula (I) containing other types of aromatic heteroaryl , monocyclic heterocyclic compounds, i.e. pyrrolidinyl, imidazolyl, isoxazoly, thiazolyl,thiomorpholinyl, furanyl, , thiranyl, tetrahydropyranyl, enzopyranyl, dioxolanyl, piperazinyl , morphole, isothiazolidinyl, thiophenyl and its pharmaceutical composition as disclosed below:




(1)

Group V: Claims 19-22, drawn to the method for treatment or preventing Alzheimer disease by using the compound formula (I).

Applicants elect, with traverse, the Group where $R^1$ is a phenyl group and $R^2$ and $R^3$ are each a pyridyl group. This group includes Claims 1-5, 7-17 & 21-23.

The Examiner alleges a lack of Unity of Invention under PCT Rule 13.1 between the groups because, under PCT Rule 13.2, they allegedly lack the same or corresponding special technical feature.

In regard to Groups I and II, the Examiner alleges that the compounds of these groups have different modes of operation, different functions, or different effects because: "each of their reactants has a completely different chemical structure with respect to the core structure."

However, Annex B of the Administrative Instructions under the PCT, paragraph b (Technical Relationship), states (with emphasis added):

> The expression "special technical feature" is defined in Rule 13.2 as meaning those technical features that defines a contribution which each of the inventions, ***considered as a whole***, makes over the prior art. The determination is made on the contents of the claims as ***interpreted in light of the description*** and drawings (if any).

Applicants respectfully submit that the Office did not consider the contribution of the invention ***as a whole*** in alleging a lack of Unity of Invention. Furthermore, Applicants respectfully submit that the Office did not consider the contents of the claims ***interpreted in light of the description*** in asserting of a lack of Unity of Invention. Therefore, the Office has not met the burden for establishing the alleged lack of Unity of Invention.

In regard to Groups I and III, the Examiner alleges that the compounds of these groups have different modes of operation, different functions, or different effects because: "each of their reactants has a completely different chemical structure with respect to the core structure."

In view of Annex B of the Administrative Instructions under the PCT, paragraph b (Technical Relationship) cited above, Applicants respectfully submit that the Office did not consider the contribution of the invention ***as a whole*** in alleging a lack of Unity of Invention. Furthermore, Applicants respectfully submit that the Office did not consider the contents of the

claims ***interpreted in light of the description*** in asserting of a lack of Unity of Invention. Therefore, the Office has not met the burden for establishing the alleged lack of Unity of Invention.

In regard to Groups I and IV, the Examiner alleges that the compounds of these groups have different modes of operation, different functions, or different effects because: "each of their reactants has a completely different chemical structure with respect to the core structure."

In view of Annex B of the Administrative Instructions under the PCT, paragraph b (Technical Relationship) cited above, Applicants respectfully submit that the Office did not consider the contribution of the invention ***as a whole*** in alleging a lack of Unity of Invention. Furthermore, Applicants respectfully submit that the Office did not consider the contents of the claims ***interpreted in light of the description*** in asserting of a lack of Unity of Invention. Therefore, the Office has not met the burden for establishing the alleged lack of Unity of Invention.

In regard to the relationship between Groups I and V, the Examiner alleges that Fasman (U.S. 5,523,295) discloses: "A method for treating or preventing Alzheimer's disease in a mammal[.] A silicon compound for inhibiting interaction between aluminum and β-amyloid or neurofilament protein is provided." The Examiner admits that the compound of Fasman is structurally unrelated to the claimed compounds of formula (I).

In view of Annex B of the Administrative Instructions under the PCT, paragraph b (Technical Relationship) cited above, Applicants respectfully submit that the Office did not consider the contribution of the invention, ***as a whole***, over the disclosure of the cited reference. Applicants also respectfully submit that the Office did not consider the contents of the claims ***interpreted in light of the description*** in asserting of a lack of Unity of Invention. Therefore, the Office has not met the burden for establishing the alleged lack of Unity of Invention.

For the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the requirement for restriction. Applicants therefore request that the requirement for restriction be withdrawn.

Applicants thank the Examiner for the telephone discussion about the present Restriction Requirement. It was discussed that the Applicants may elect a group where $R^1$, $R^2$, and $R^3$ are defined differently from the groups identified by the Examiner and that the claims may be amended to suit the Applicants election.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice thereof is earnestly solicited.

Respectfully Submitted,

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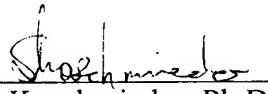

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